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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ANDREA M. WILLIAMS AND JAMES
STEWART, On Behalf of Themselves And
All Others Similarly Situated,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 5:19-cv-04700-LHK

**STIPULATION TO REQUEST THE COURT
MODIFY THE CASE MANAGEMENT ORDER
(ECF No. 64)**

Judge: The Hon. Lucy H. Koh
Crtrm: 8, 4th Floor

1 Plaintiffs Andrea M. Williams and James Stewart (“Plaintiffs”) and Defendant Apple Inc.
 2 (“Apple”) (jointly, the “Parties”), through their undersigned counsel, hereby respectfully submit the
 3 following stipulation and proposed order to extend time.

4 **RECITALS**

5 **WHEREAS**, on August 12, 2019, Plaintiffs initiated this action against Apple (ECF No. 1);

6 **WHEREAS**, the Court’s Case Management Order issued on April 17, 2020 (ECF No. 37)
 7 established certain initial deadlines, including deadlines for class certification, fact discovery, expert
 8 discovery and reports, and dispositive motions;

9 **WHEREAS**, the Court entered an Order Proposing Case Schedule on September 8, 2020 to
 10 amend the Case Management Order (ECF No. 61) in the interests of judicial economy;

11 **WHEREAS**, the Court’s Case Management Order issued September 17, 2020 (ECF No. 64)
 12 set the now-current deadlines for class certification, fact discovery, expert discovery and reports, and
 13 dispositive motions.

14 **WHEREAS**, on December 18, 2020, Plaintiffs filed their Motion to Strike Apple’s
 15 Affirmative Defenses and Prayer for Attorneys’ Fees (ECF No. 71) (“Motion to Strike”), which is now
 16 fully briefed and awaiting ruling by the Court;

17 **WHEREAS**, on January 8, 2021, Plaintiffs filed their Motion for Class Certification (ECF No.
 18 77), which is now fully briefed and awaiting a ruling by the Court;

19 **WHEREAS**, the Parties have met and conferred to agree upon a case schedule that will allow
 20 for an efficient and orderly development of the case, and which will not unduly delay the proceedings
 21 in this matter or the scheduled Final Pretrial Conference or Trial Date.

22 **WHEREAS**, the Parties agree that there is good cause under Federal Rule of Civil Procedure
 23 16(b) for an extension of the applicable deadlines in this action to allow for resolution of Plaintiffs’
 24 pending Motion for Class Certification (ECF No. 77) and resolution of Plaintiffs’ pending Motion to
 25 Strike, both of which bear on the scope of further fact and expert discovery.

26 **NOW THEREFORE**, pursuant to Civil L. R. 6-1 and 6-2, to allow for an efficient and
 27 orderly development of the case, which will not unduly delay the proceeding in this matter, the Parties
 28 jointly stipulate (subject to the Court’s approval) to extend each of the following deadlines as set forth

below:

Scheduled Event	Current Deadline	Proposed Deadline
Close of Fact Discovery	May 21, 2021	June 28, 2021
Opening Expert Reports	June 11, 2021	July 19, 2021
Case Management Conference	June 16, 2021	June 23, 2021
Rebuttal Expert Reports	July 2, 2021	August 16, 2021
Close of Expert Discovery	July 19, 2021	September 2, 2021
Last Day to File Dispositive Motions (one per side in the entire case)	September 2, 2021	September 30, 2021
Hearing on Dispositive Motions	October 28, 2021 at 1:30 p.m.	November 18, 2021
Final Pretrial Conference	January 20, 2022 at 1:30 p.m.	Unchanged
Jury Trial	February 28, 2022 at 9:00 a.m.	Unchanged

IT IS SO STIPULATED.

Dated: May 11, 2021

COOLEY LLP

/s/ Michelle C. Doolin

Michelle C. Doolin
Attorneys for Defendant
APPLE INC.

Dated: May 11, 2021

THE KATRIEL LAW FIRM, P.C.

/s/ Roy A. Katriel

Roy A. Katriel
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
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ANDREA M. WILLIAMS AND JAMES
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v.

APPLE INC.,

Defendant.

Case No. 5:19-cv-04700-LHK

~~[PROPOSED]~~ ORDER GRANTING
STIPULATION TO MODIFY CASE
MANAGEMENT ORDER (ECF No. 64)

Judge: The Hon. Lucy H. Koh
Crtrm: 8, 4th Floor

This matter comes before the Court on Plaintiffs Andrea M. Williams and James Stewart (“Plaintiffs”) and Defendant Apple Inc. (“Apple”) (jointly, the “Parties”) Stipulation to Modify Case Management Order (ECF No. 64). Upon consideration of the stipulation, declaration, and for good cause shown, the court hereby GRANTS the Parties’ Stipulation to Modify Case Management Order (ECF No. 64), and enters the following schedule:

Scheduled Event	Deadline
Close of Fact Discovery	June 28, 2021
Opening Expert Reports	July 19, 2021
Case Management Conference	June 23, 2021
Rebuttal Expert Reports	August 16, 2021
Close of Expert Discovery	September 2, 2021
Last Day to File Dispositive Motions (one per side in the entire case)	September 30, 2021
Hearing on Dispositive Motions	November 18, 2021
Final Pretrial Conference	Unchanged
Jury Trial	Unchanged

IT IS SO ORDERED.

Dated: May 13, 2021

By: 

Hon. Lucy H. Koh
United States District Judge